

**Agreement between the Government of the United States of
America and the Government of Macedonia regarding the
Surrender of Persons to the International Criminal Court**

The Government of the United States of America and the
Government of Macedonia, hereinafter "the Parties,"

Reaffirming the importance of bringing to justice those
who commit genocide, crimes against humanity and war
crimes,

Recalling that the Rome Statute of the International
Criminal Court done at Rome on July 17, 1998 by the
United Nations Diplomatic Conference of Plenipotentiaries
on the Establishment of an International Criminal Court
is intended to complement and not supplant national
criminal jurisdiction,

Considering the Government of the United States of
America has expressed its intention to investigate and to
prosecute where appropriate acts within the jurisdiction
of the International Criminal Court alleged to have been
committed by U.S. persons,

Considering that the Government of the United States of
America remains committed to its legal obligations
arising from the 1907 Hague Conventions, the 1949 Geneva
Conventions, the 1948 Genocide Convention, and the 1984
Torture Convention,

Considering that the Government of Macedonia, by becoming
a State Party to the Rome Statute of the International
Criminal Court, has expressed its commitment to be bound
by the rules and principles embodied therein,

Confirming that nothing in this agreement provides
impunity with regard to genocide, crimes against humanity
and war crimes,

Bearing in mind Article 98 of the Rome Statute,

Hereby agree as follows:

1. For the purposes of this Agreement, "U.S. persons"
include all U.S. nationals and current and former U.S.
military personnel with respect to acts or omissions
allegedly committed or occurring while they are or were
U.S. military personnel.

2. U.S. persons present in the territory of Macedonia shall not, absent the express consent of the Government of the United States of America,

(a) be surrendered or transferred by any means to the International Criminal Court for any purpose, or

(b) be surrendered or transferred by any means to any other entity or third country, or expelled to a third country, for the purpose of surrender to or transfer to the International Criminal Court.

3. When the Government of Macedonia extradites, surrenders, or otherwise transfers a U.S. person to a third country, the Government of Macedonia will not agree to the surrender or transfer of that person to the International Criminal Court by a third country, absent the express consent of the Government of the United States of America.

4. This Agreement shall enter into force upon an exchange of notes confirming that each Party has completed the necessary domestic legal requirements to bring the Agreement into force. It will remain in force until one year after the date on which one Party notifies the other of its intent to terminate this Agreement. The provisions of this Agreement shall continue to apply with respect to any act occurring, or any allegation arising, before the effective date of termination.

Done in duplicate in the English and Macedonian languages at Skopje this 30th day of June, 2003. In case of disputes, the English language shall prevail.

For the Government of the
United States of America:



Lawrence E. Butler
Ambassador

For the Government of
Macedonia:



Ilinka Mitreva
Minister of Foreign Affairs